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UNDER
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Rev. March 2017

United States District Court
for
the District of Nevada

PETITION FOR WARRANT
FOR OFFENDER UNDER SUPERVISION

Name of Offender: **Robert Isaiah Marshall**

Case Number: **2:20CR00023**

Name of Sentencing Judicial Officer: **Honorable Kent J. Dawson**

Date of Original Sentence: **December 15, 2020**

Original Offense: **Felon in Possession of a Firearm**

Original Sentence: **30 Months prison, followed by 36 Months TSR.**

Date Supervision Commenced: **March 2, 2022**

Name of Assigned Judicial Officer: **Honorable Kent J. Dawson**

PETITIONING THE COURT

☒ To issue a warrant.

The probation officer believes the offender has violated the following condition(s) of supervision:

1. **Do Not Unlawfully Use Controlled Substance** - You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually.

Marshall failed to report for drug testing on the following dates:

March 15, 2022

March 21, 2022

April 28, 2022

April 30, 2022

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May 11, 2022

May 27, 2022

June 3, 2022

June 10, 2022

2. **Cognitive Behavioral Treatment** – You must participate in a cognitive behavioral treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). Such programs may include group sessions led by a counselor or participation in a program administered by the probation office.

On June 4, 2022, Marshall was a no call no show for his assessment to be placed into Cognitive Behavioral Treatment at the treatment vendor Choices Group.

3. **Do Not Commit Another Crime** - You must not commit another federal, state or local crime.

- A. On May 24, 2020, Marshall was contacted by an officer with the Las Vegas Metropolitan Police Department (LVMPD) during a traffic stop. During the stop Marshall was cited for committing the following traffic offenses: Display fictitious, cancelled, revoked, suspended or altered vehicle registration, license plate or certificate of title, violation of Statute 482.545.2, a misdemeanor, Operate expired unregistered vehicle, trailer or semi-trailer, violation of Statute 482.545.1, a misdemeanor, Drive without valid driver's license, violation of Statute 483.550, a misdemeanor and Operator - proof of insurance required violation of Statute 485.187.2, a misdemeanor in Las Vegas Traffic Case LVM0805209.
- B. At onset of supervision Marshall was directed by the undersigned officer to update his address with the North Las Vegas Police Department, in accordance with the provisions of N.R.S. 179C. Marshall released from the Bureau of Prison (BOP) custody on March 2, 2022. As required under Nevada Revised Code (NRS) 179C.110, Marshall is required to notify local law enforcement within 48 hours of his change in residence. As of June 16, 2022, Marshall has failed to register his address with the local police department as his recorded address remains that of Residential Reentry Center.

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4. Follow Instructions Of Probation Officer - You must follow the instructions of the probation officer related to the conditions of supervision.

- A. Marshall has been instructed by his probation officer to call a dedicated phone number nightly to see if he is required to submit to drug test the following day. Marshall was calling consistently until May 2022. He has not called at all since May 8, 2022. Since May 1, 2022, Marshall has failed to call 43 times. Marshall has failed to follow the instructions of his probation officer by not calling the drug testing line daily.
- B. Due to Marshall missing multiple drug tests, the undersigned officer attempted to help Marshall by having him report for drug testing on a specific day to see if he could get back into compliance with supervision. On May 26, 2022, Marshall specifically asked to be scheduled for drug testing on Fridays. The undersigned officer directed him to start reporting for drug testing the next day which was Friday May 27, 2022. Marshall failed to ever report for those specific drug tests on May 27, 2022, June 3, 2022, and June 10, 2022.
- C. At onset of supervision Marshall was directed by his probation officer to register his address with the North Las Vegas Police Department. Marshall released from the Bureau of Prison (BOP) custody on March 2, 2022. As required under Nevada Revised Code (NRS) 179C.110, Marshall is required to register his address within 48 hours of his release from custody. As of June 16, 2022, Marshall has failed to register his address with the local police department as his recorded address remains that of Residential Reentry Center.

5. Must Report As Instructed - After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

Marshall failed to report to the probation office on the following dates, as directed by his probation officer and Supervisory United States Probation Officer Todd Fredlund:

June 7, 2022
June 8, 2022
June 14, 2022

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6. **Work Full Time** - You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.

On May 25, 2022, Marshall was terminated from his employment at Mear's Piping due to job abandonment. According to human resources, Marshall was last at work on May 2, 2022, and had taken a leave of absence due to him stating that there was lack of childcare at home. Marshall remains unemployed.

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U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked

I declare under penalty of perjury that the
information contained herein is true and correct,

Executed on **June 16, 2022**



Digitally signed by
Nickie Pipilakis
Date: 2022.06.17
09:04:31 -07'00'

Nickie Pipilakis
United States Probation Officer

Approved:



Digitally signed by Todd
Fredlund
Date: 2022.06.16 16:04:11
-07'00'

Todd J. Fredlund
Supervisory United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
☒ The issuance of a warrant.
☐ The issuance of a summons.
☐ Other:



Signature of Judicial Officer

June 17, 2022

Date

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**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
UNITED STATES V. ROBERT ISAIAH MARSHALL, 2:20CR00023**

SUMMARY IN SUPPORT OF PETITION FOR WARRANT

June 16, 2022

On December 15, 2020, Your Honor sentenced Marshall to a term of 30 months custody in the Bureau of Prisons followed by a 36-month term of supervised release for the violation of 18 U.S.C. § 922(g)(1) and § 924(a)(2), Felon in Possession of a Firearm. Marshall commenced his term of supervised release on March 2, 2022.

Since beginning supervision Marshall has presented with defiance, contempt, and hostility towards the undersigned officer and conditions of supervision.

At onset of supervision Marshall was directed by his probation officer to register his address with the North Las Vegas Police Department. Marshall released from the Bureau of Prison (BOP) custody on March 2, 2022. As required under Nevada Revised Code (NRS) 179C.110, Marshall is required to register his address within 48 hours of his release from custody. As of June 16, 2022, Marshall has failed to register his address with the local police department as his recorded address remains that of Residential Reentry Center.

There have also been some accusations regarding domestic violence in which Marshall was the alleged aggressor. On April 29, 2022, the undersigned officer received an anonymous phone call from the family of Marshall's pregnant girlfriend stating that they had just called 911 to Marshall's home due to their three-year-old grandchild stating that he saw Marshall physically slap the pregnant girlfriend. The family member stated Marshall had a history of domestic violence with the pregnant girlfriend. The undersigned officer telephonically contacted the alleged victim, Kiana Ector, and she denied Marshall physically assaulting her and stated they had merely had a verbal disagreement that day. Ector was also contacted by Las Vegas Metropolitan Police Department at her home in which she denied any physical abuse and would not meet with officers to be interviewed. The undersigned officer telephonically contacted Marshall who also denied that he physically assaulted Ector but was verbally argumentative and hostile towards the undersigned officer.

On May 10, 2022, both Ector and Marshall filled out voluntary statements for the undersigned officer denying that there had been a physical altercation on April 29, 2022.

As detailed in this petition, Marshall has failed to report for drug testing on multiple dates. Marshall has been instructed by his probation officer to call a dedicated phone number nightly to see if he is required to submit to drug test the following day. Marshall was calling consistently until May 2022. He has not called at all since May 8, 2022. Since May 1, 2022, Marshall has failed to call 43 times. Based on Marshall's history the probation office can only surmise his failure to report is to avoid detection of drug use. Marshall's refusal to call and report is

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considered a refusal to comply with drug testing as a condition of supervision. Pursuant to 18 U.S.C. § 3583(g)(3) revocation is mandatory for refusal to comply with drug testing imposed as a condition of supervised release.

On May 17, 2022, the undersigned officer contacted Marshall by text message and offered to drop off a 30 day bus pass to him at his home for him to have transportation to his appointments. Marshall advised that he had purchased a bus pass on his own the day prior and the new buss pass was not needed.

Due to Marshall missing multiple drug tests, the undersigned officer attempted to help Marshall by having him report for drug testing on a specific day of the week to see if he could get back into compliance with supervision. On May 26, 2022, Marshall specifically asked to be scheduled for drug testing on Fridays. The undersigned officer directed him to start reporting for drug testing the next day which was Friday May 27, 2022, and every Friday thereafter until informed by the undersigned otherwise. Marshall was also warned that continued noncompliance and missed drug tests would result in the undersigned officer seeking punitive action from the court. Marshall failed to ever report for those specific drug tests on May 27, 2022, June 3, 2022, and June 10, 2022.

On May 24, 2020, Marshall was contacted by an officer with the Las Vegas Metropolitan Police Department (LVMPD) during a traffic stop. During the stop Marshall was cited for committing the following traffic offenses: Display fictitious, cancelled, revoked, suspended or altered vehicle registration, license plate or certificate of title, violation of Statute 482.545.2, a misdemeanor, Operate expired unregistered vehicle, trailer or semi-trailer, violation of Statute 482.545.1, a misdemeanor, Drive without valid driver's license, violation of Statute 483.550, a misdemeanor and Operator - proof of insurance required violation of Statute 485.187.2, a misdemeanor in Las Vegas Traffic Case LVM0805209.

On May 25, 2022, Marshall was terminated from his employment at Mear's Piping due to job abandonment. According to human resources, Marshall was last at work on May 2, 2022, and had taken a leave of absence due to him stating that there was lack of childcare at home. Every time the undersigned officer has been to Marshall's residence, both Marshall and his girlfriend have been at the home with the children.

On June 4, 2022, Marshall was a no call no show for his assessment to be placed into Cognitive Behavioral Treatment at the treatment vendor Choices Group. Marshall failed to report as directed to the probation office on June 7, 2022, June 8, 2022, and June 14, 2022.

Marshall has an extensive criminal history placing him in a Criminal History Category VI. Marshall's conviction include drug, weapon, and violent related offenses Marshall has continued to show a failure to abide by the conditions of supervision and although he indicates that he wants to make positive changes in his life, he continues to exhibit the same negative behaviors and has made no positive adjustments to his behavior or attitude. It is apparent that Marshall is not amenable to supervision, and he refuses to work with the probation office or abide by the court's orders. Marshall is a flight risk and danger to the community. The probation office is

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requesting the issuance of a warrant, and that upon his arrest he remain in custody throughout the revocation proceedings.

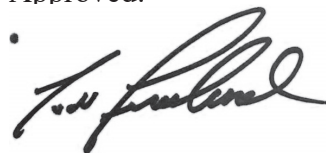
Respectfully submitted,



Digitally signed by
Nickie Pipilakis
Date: 2022.06.17
09:04:51 -07'00'

Nickie Pipilakis
United States Probation Officer

Approved:



Digitally signed by Todd
Fredlund
Date: 2022.06.16
16:04:23 -07'00'

Todd J. Fredlund
Supervisory United States Probation Officer